IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 4th day of Sept. , 2002

Criminal Misc. Bail Application no. 901 of 2002

Order on the Bail Application

CRIMINAL SIDE

Raju alias Ravi son of Sri Prem, resident of village Khanpur Kalan, P.S. Jhinjhana, District Muzaffarnagar.

----------applicant(s)

Versus

State of Uttaranchal. ……..Opposite Party.

Arising out of- case crime no. 75 of 2001
Under Section 2/(3)/(II) of U.P. Gangsters and Antisocial Activities (Prevention) Act, 1986,
P.S. Kotwali,
District Hardwar

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant-accused and the learned A.G.A.

It is not in dispute that out of four criminal cases, in two criminal cases pending against the accused-applicant he is on bail whereas in one case report under section 169 of Cr.P.C. has been submitted by the police and in the fourth case he has been made accused on the basis of the statement under section 161 of Cr.P.C. There is no previous conviction to the credit of the applicant and considering this fact, there are reasonable grounds to accept at this stage the argument that the applicant has not committed the offence and there is no likelihood of his involving himself in similar activity in future, if released on bail. Considering this aspect, in my opinion it is a fit case for bail.

Let the applicant Raju alias Ravi son of Sri Prem, resident of village Khanpur Kalan, P.S. Jhinjhana, District Muzaffarnagar be released on bail in case crime no. 75 of 2001, under section 2/(3)/(II) of U.P. Gangsters and Antisocial Activities (Prevention) Act, 1986, P.S. Kotwali, District Hardwar on his filing a personal bond and adequate sureties to the satisfaction of Special Judge, Hardwar.

04.09.02./B. **(Irshad Hussain J.)**